



The Tennessee Open Meetings Act passed by the General Assembly in 1974 requires that meetings of state, city and county government bodies be open to the public and that any such governmental body give adequate public notice of such meeting.

**TENNESSEE DEPARTMENT OF HEALTH  
MEMORANDUM  
AMENDED**

**Date:** June 6, 2017  
**To:** Woody McMillin, Director of Communication and Media Relations  
**From:** Wanda E. Hines, Board Administrator

**Name of Board or Committee:** Board for Licensing Health Care Facilities Board Meeting  
**(Call-in Number: 1-888-757-2790 passcode: 152602#)**

**Date of Meeting:** June 7, 2017  
**Time:** 9:00 a.m. CDT  
**Place:** Iris Conference Room  
665 Mainstream Drive, First Floor  
Nashville, TN 37243  
**Major Item(s) on Agenda:** See Attached Agenda

**Link to Live Video Stream:**

**June 7, 2017**

<https://web.nowuseeit.tn.gov/Mediasite/Play/493008ba65ed4c4da6094eaf8eda085b1d>

This memo shall be forwarded from individual programs to the Public Information Office on the 15th day of the preceding month. The Public Information Office will prepare the monthly list of meetings within the Department and have ready for distribution to state media by the 28th day of the preceding month.

PH-1850 (Rev. 3/79)

RDA N/A

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**JOHN J. DREYZEHNER, MD, MPH**  
COMMISSIONER

**BILL HASLAM**  
GOVERNOR

*THE MISSION OF THE TENNESSEE DEPARTMENT OF HEALTH IS TO PROTECT, PROMOTE AND  
IMPROVE THE HEALTH AND PROSPERITY OF PEOPLE IN TENNESSEE*

**BOARD FOR LICENSING HEALTH CARE FACILITIES**

**JUNE 7-8, 2017**

**IRIS CONFERENCE ROOM, FIRST FLOOR**

**PLEASE REMEMBER TO SILENCE YOUR ELECTRONIC DEVICES WHEN  
THE BOARD IS IN SESSION**

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1. **WELCOME NEW BOARD MEMBERS:** Mr. Chuck V. Griffin, Architect Representative replacing Mr. David Rhodes, Dr. Evelyn J. Brock, Osteopath Representative replacing Dr. Michael Miller and Ms. Patti Kettermann, Hospital Operated Nursing Home Administrator Representative replacing Ms. Diana Miller. Reappointments of Mr. Joshua Crisp, Assisted Care Living Representative and Mr. Robert Breeden, Nursing Home Industry Representative.
2. **CALL THE MEETING TO ORDER AND ESTABLISH A QUORUM.**
3. **CONTESTED CASE HEARING(S).**
4. **RULEMAKING HEARINGS**-Notice of Rulemaking Hearings can be viewed online at:
5. **REPORTS.**
  - A. **EMS REPORT** - Robert Seesholtz
  - B. **NURSE AIDE REPORT** – Wanda King
  - C. **OFFICE OF GENERAL COUNSEL REPORT** – Caroline Tippens
6. **BOARD APPROVAL FOR THE FOLLOWING INTERPRETATIVE GUIDELINES**
  - A. Ambulatory Surgical Treatment Center (ASTC) Interventional Pain 1200-08-10-.06(13)

- B. Pediatric Emergency Care Facility (PECF) & Hospital Designation 1200-08-01-.01(37)(g) & 1200-08-30-.02
- C. Meaning of Home for the Aged “Short-Term” in Rule 1200-08-11-.05(4).

**7. LICENSE STATUS REQUESTS.**

**MILAN HEALTH CARE CENTER, MILAN**

This sixty-six (66) nursing home bed facility is seeking to place their license on inactive status. The facility ceased operations on December 23, 2016. This date is desired for the effective date of the inactive status. This facility desires to retain the rights to the sixty-six (66) beds upon assuming inactive status.

**Representative(s):** Michaela D. Poizner, Attorney

**SISKIN HOSPITAL’S SUBACUTE REHABILITATION PROGRAM, CHATTANOOGA**

This twenty-nine (29) bed nursing home facility is seeking to place their license on inactive status. Siskin has determined that the space containing the 29-bed unit should be converted to use for 29 inpatient rehabilitation hospital beds. Siskin plan to cease new admissions to the unit effective March 1, 2017, with the expectation no patients will be in the unit by April 1, 2017.

**Representative(s):** Dan Elrod, Attorney

**SISKIN HOSPITAL FOR PHYSICAL REHABILITATION, CHATTANOOGA**

This eighty (80) bed hospital is requesting to increase their rehabilitation beds count by eight (8) beds for a total of eighty-eight (88) beds. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g). Siskin is using space formerly occupied by Siskin Subacute Rehab Program.

**REPRESENTATIVE(S):** Dan H. Elrod, Attorney

**MEMORIAL/MISSION OUTPATIENT SURGERY CENTER, CHATTANOOGA**

This ambulatory surgical treatment center is requesting a second extension waiver for their license to remain on inactive status. Memorial/Mission anticipate plans for the facility to reopen will be finalized within the next several months. In light of continuing interest to reopen the facility, Memorial/Mission request that inactive status be renewed by the Spring of 2018. This facility’s license was placed on inactive status on May 6, 2015 for twelve (12) months and an extension waiver for inactive status was granted on May 5, 2016 for additional twelve (12) months which expires June 2017.

**REPRESENTATIVE(S):** Dan H. Elrod, Attorney

**FRANKLIN TRANSITIONAL CARE UNIT, JOHNSON CITY**

This 13 bed skilled nursing facility is requesting a fourth extension waiver for their license to remain on inactive status through February 2019. Mountain State Health Alliance (MSHA) and Signature HealthCare have entered into a joint venture arrangement and Franklin Transitional Care Unit will be combined with another skilled facility in the MSHA organization and will relocate to a new, replacement facility. A CON was granted on December 14, 2016 and the project is proceeding. Mountain State Health Alliance will like to continue the inactive status for Franklin Transitional Care Unit pending completion and licensing of the new facility. Franklin Transitional Care's license was placed on inactive status for twelve (12) months on September 12, 2012; an extension waiver for inactive status was granted for an additional year on September 12, 2013; a second extension for inactive status was granted on September 2014 through June 2016; and a third extension waiver for inactive status was granted on May 5, 2016 for additional twelve (12) month that expires in June 2017.

**REPRESENTATIVE(S):** Dan Elrod, Attorney

**JACKSON PARK CHRISTIAN HOME, INC., NASHVILLE**

This twenty-eight (28) bed nursing home facility is seeking its fifth extension of their license to remain on inactive status for an additional twelve (12) months to June 2018. Signature Healthcare, LLC continues its efforts to find either a viable purchaser, or a viable development opportunity for the facility's beds with another replacement facility. Signature continues to evaluate the best options for the licensed facility going forward. Jackson Park Christian Home's license was placed on inactive status for twelve (12) months on May 2, 2012; an extension waiver for inactive status was granted for an additional twelve (12) months on May 1, 2013; a second extension was granted on May 8, 2014 for an additional twelve (12) months; a third extension was granted on May 6, 2015 for an additional twelve (12) months; and the fourth extension was granted on May 4, 2016 which will expire on June 2017.

**REPRESENTATIVE(S):** Chris Puri, Attorney

**ELDEREED HEALTH AND REHAB, LIMESTONE AND  
ELDEREED HAUS ASSISTED LIVING CENTER, LIMESTONE**

EldeReed Health and Rehab, Limestone, a sixty-three (63) bed nursing home facility and John M. Reed EldeReed Haus Assisted Care Living Facility, Limestone, a twenty (20) bed ACLF facility both facilities are requesting an extension waiver for their licenses remain on inactive status for sixty (60) to ninety (90) days. John M. Reed Home for the Aged, Inc., owner is in the process of selling both facilities and has recently entered into a sale agreement.

**REPRESENTATIVE(S):** James R. Wheeler, Attorney

**SURGICAL SERVICES, P.C., SWEETWATER**

This ambulatory surgical treatment center (ASTC) is seeking to place its license on inactive status. A period of time was not expressed.

**REPRESENTATIVE(S):** Dr. Ray Villanueva, President and Owner

**8. WAIVER REQUESTS.**

**A. THE FOLLOWING NURSING HOMES ARE REQUESTING TO WAIVE NURSING HOME REGULATIONS 1200-08-06-.04(1) FOR A TENNESSEE LICENSED NURSING HOME ADMINISTRATOR UNTIL A PERMANENT REPLACEMENT IS HIRED OR RECEIVES HIS/HER LICENSE IN TENNESSEE.**

- (1) Poplar Point Health and Rehabilitation, Memphis  
- Jordie Cortez Montgomery, Interim Administrator

**B. OTHER WAIVER REQUEST(S)**

**PENTEC HEALTH, INC., NASHVILLE**

This home health agency is seeking to waive two provisions: Home Health Services Rule 1200-08-26-.06(2) regarding a written summary report for each patient must be sent to the attending physician at least every 62 days and Home Health Services Rule 1200-08-26-.06(3)(b) regarding plan of care of a patient must be reviewed by attending physician and agency personnel as the severity of the patient's condition at least once every 62 days. Pentec's believes their staffing plan and existing policies for management of medical plans of care and nurse reporting meets the intent of the standards.

**REPRESENTATIVE(S):** Michelle Hiidel, RN and Karen Boyer, RN

**BIG SOUTH FORK MEDICAL CENTER, ONEIDA**

This facility is seeking to request a waiver of the 2010 Guidelines for Design and Construction of Health Care Facilities (FGI) guidelines 2.2-3.1.3.6(9) requirements for an emergency department to have a decontamination room.

**REPRESENTATIVE(S):** Tony Taylor, CEO

**SELECT SPECIALTY HOSPITAL-NASHVILLE, NASHVILLE**

Select Medical Corporation and its affiliated hospitals in Tennessee are requesting the Board to make a determination regarding compliance with Pediatric Emergency Care Facilities Rule 1200-08-30 and the Board to take the necessary action to remove any obligation to maintain any PECF designation (including the provision of any pediatric emergency services) and to consider a waiver for the noted hospitals relieving the hospitals of any requirements to comply. Select Specialty Hospital-Nashville was cited with this deficiency. Select Medical operates five long-term acute care hospitals, each has always been licensed as a Chronic Disease Hospital under Rule 1200-08-01-.01(37)(g).

**REPRESENTATIVE(S):** Paul Ambrosius, Attorney

**HEALTHSOUTH CANE CREEK REHABILITATION HOSPITAL,  
MARTIN AND HEALTH SOUTH REHABILITATION HOSPITAL  
NORTH MEMPHIS, MEMPHIS**

HealthSouth Corporation and its affiliated hospitals in Tennessee are requesting the Board to make a determination regarding compliance with Pediatric Emergency Care Facilities Rule 1200-08-30-.02 (“P” Tag 200) and the Board to take the necessary action to remove any obligation to maintain any PECF designation (including the provision of any pediatric emergency services) and to consider a waiver for the noted hospitals relieving the hospitals of any requirements to comply. Both hospitals HealthSouth Cane Creek Rehabilitation Hospital, Martin and Health South Rehabilitation Hospital North Memphis, Memphis were both cited with the same deficiency. Both hospitals are licensed as rehabilitation hospitals under Rule 1200-08-01-.01(37)(g).

**REPRESENTATIVE(S):** Chris Puri, Attorney

**CURAHEALTH NASHVILLE, LLC, NASHVILLE**

This long-term acute care hospital is requesting the Board to make a determination regarding compliance with Pediatric Emergency Care Facilities Rule 1200-08-30-.02 and the Board to take the necessary action to remove any obligation to maintain any PECF designation (including the provision of any pediatric emergency services) and to consider a waiver for the noted hospital relieving the hospital of any requirements to comply. Curahealth Nashville, LLC was cited for not complying with the requirement of Pediatric Basic Hospital. This hospital through the Change of Ownership application and selected the institution classification of “Chronic Disease” hospital. The new license included Pediatric Basic and Chronic Disease Hospital.

**REPRESENTATIVE(S):** Tom Rone, CEO

**MEMORIAL HOSPITAL AND MEMORIAL HOSPITAL HIXSON**

Memorial Hospital, a three hundred thirty-six (336) acute beds and Memorial Hospital Hixson, sixty-nine (69) acute beds are requesting to increase their general acute care beds. Memorial Hospital is requesting to increase their general acute care bed count by thirty-three (33) beds which will be a total of three hundred sixty-nine (369) beds. Memorial Hospital, Hixson is requesting to increase their general acute care beds count by six (6) beds which will be a total of seventy-five (75) beds. This request is made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g). Memorial Hospital and Memorial Hospital Hixson consistently experiences extremely high census days exceeding the established licensed capacity as evidence by the notification from the State which created the need for additional licensed beds.

**REPRESENTATIVE(S):** Dan H. Elrod, Attorney

**VANDERBILT UNIVERSITY MEDICAL CENTER, NASHVILLE**

Vanderbilt University Medical Center, a 1,025 licensed bed hospital including 96 neonatal intensive care beds, 88 psychiatric beds and 841 acute beds are requesting to increase their acute care beds by 68 beds. Thirty (30) of the proposed beds will be located in the existing Medical Center East building on the medical campus and thirty-eight (38) beds will be located in the Monroe Carell Jr, Children's Hospital at Vanderbilt. In addition Vanderbilt has 88 psychiatric beds will add 4 psychiatric beds, 2 child/adolescent and 2 adults will be located in the existing Vanderbilt Psychiatric Hospital. These requests are being made pursuant to the Tennessee Health Services and Development Agency statute T.C.A. §68-11-1607(g).

**REPRESENTATIVE(S):** Dan H. Elrod, Attorney

**SELECT SPECIALTY HOSPITAL-KNOXVILLE, KNOXVILLE AND  
SELECT SPECIALTY HOSPITAL-NORTH KNOXVILLE, KNOXVILLE**

Select Medical Corporation which owns and operates both hospitals is requesting for Select Specialty Hospital-Knoxville, Knoxville to become the satellite hospital of Select Specialty Hospital-North Knoxville, Knoxville. Select Medical Corporation anticipates as of October 1, 2017 Select Knoxville will merge into Select North Knoxville and will surrender its Medicare provider number.

**Representative(s):** Paul Ambrosius, Attorney

**AVALON HOSPICE, NASHVILLE**

Avalon Hospice Agency is seeking a waiver to open 2 new additional branch offices further than the one hundred (100) mile restriction pursuant to T.C.A. §68-11-202(e)(3), for branch offices under its parent hospice agency located at 2525 Perimeter Place Drive, Suite 121, Nashville, Tennessee. Avalon has a geographic service area of all 95 counties. Avalon wants to open two (2) branch offices in Chattanooga (approximately 135 miles from the Nashville parent office); and Cleveland (approximately 163 miles from the Nashville parent office).

**REPRESENTATIVE(S):** Chris, Puri, Attorney, John Dyer, Vice President of Operations, Nena Hart, Administrator, Gusti McGee, Director Regulatory Services

**COPPER BASIN MEDICAL CENTER, COPPERHILL**

Copper Basin Medical Center is requesting a discussion or waiver of the “hospital definition”. Copper Basin has recently temporarily suspended inpatient services on May 8, 2017 and is exploring any and all options to continue to serve the surrounding community. Copper Basin Medical Center plan to continue to provide all other outpatient services including lab, radiology, and general surgery and maintain a pharmacy as well as to continue to support specialty practices such cardiology, urology, and ophthalmology in their clinics.

**REPRESENTATIVE(S):** Dan Johnson, CEO

**NATIONAL BIOLOGICAL CORPORATION, NOLENSVILLE AND THE RICHMOND LIGHT COMPANY, NOLENSVILLE**

National Biological Corporation and Richmond Biological Corporation both are home medical equipment facilities are seeking to waive the following Home Medical Equipment Rules: 1200-08-29-.04(7)-(8) and 1200-08-29-.06(5)(c)-Physical Location; 1200-08-29-.04(9) – Charity Care Statement; 1200-08-29-.06(2) – Infection Control; 1200-08-29-.06(4)(a),(f), 1200-08-29-.06(4)(b), 1200-08-29-.06(6)(c)-Equipment Management; 1200-08-29-10-Infectious and Hazardous Waste; and 1200-08-29-11-Records and Reports. Both businesses are based in Ohio and have applied for licensure in Tennessee.

**REPRESENTATIVE(S):** Michael Kaufman, Vice President

**9. DISCUSSION(S).**

**A.** Tennessee Board for Licensing Health Care Facilities 2015 Performance Audit Report Updates on progress to address identified items. – Vincent Davis, Director

**B. CHI MEMORIAL HEALTH CARE SYSTEM, CHATTANOOGA (AND HIXSON)**

This hospital is licensed for 405 beds which 336 beds at Memorial Glenwood campus and 69 beds at Memorial Hixson campus. The hospital has exceeded its licensed bed capacity due to above average admissions through the emergency department and by above average surgery schedules. According to Hospital Rule



1200-08-01-.05(23) Memorial Health Care System is required to self-report this situation within forty-eight (48) hours. The facility failed to make notice within the required timeframe of the need to exceed its licensed bed capacity.

**REPRESENTATIVE(S):** Janelle Reilly, Chief Operating Officer, Melissa Roden, Deb Moore, Rhonda Poulson and Andrew McGill

- C. Request to Revise all Initials and Change of Ownership (CHOWS) applications regarding Question #6 disciplinary actions.
- D. Request Revisions Approval for the Provider Identification of a Surrogate form including Questions.

**REPRESENTATIVE(S):** Charles Key, Attorney, Tennessee End-of-Life Partnership (TELP)

- E. Approval of the Joint Annual Report on the Status of Emergency Medical Services for Children 2017.  
– Rhonda Phillippi, Executive Director, TN EMS for Children

#### **10. APPROVAL OF MINUTES.**

- A. Board Meeting – February 8, 2017
- B. Performance Improvement Issue Standing Committee Meeting-April 18, 2017
- C. Assisted Care Living Facility Standing Committee Meeting – April 18, 2017
- D. Assisted Care Living Facility Standing Committee Meeting – May 15, 2017

#### **11. CONSIDERATION AND RATIFICATION OF LICENSURE APPLICATIONS (CHANGE OF OWNERSHIP (CHOWS) AND INITIALS).**

##### **A. CONSIDERATION.**

###### **(CHOWS)**

Oakwood Senior Living, Knoxville

##### **B. RATIFICATION.**

###### **1. QUALIFYING APPLICATIONS**

###### **(INITIALS)**

###### **(a) Assisted Care Living Facility**

Dominion Senior Living of Hixson, Chattanooga  
Dominion Senior Living of Bristol, Bristol  
Memory Assisted Living at Uplands Village, Pleasant Hill  
The Pointe at Lifespring Senior Living, Knoxville  
The Waterford In Hermitage, Hermitage

**(b) End Stage Renal Disease Facility**

Fresenius Medical Care Raleigh Bartlett, Memphis

**(c) Home for the Aged**

Grace House, Murfreesboro

His House, Cookeville

Lynch's Residential Home Care for the Elderly, LLC, Cedar Hill

**(d) Home Medical Equipment Facility**

Ampro Medical, Chattanooga

Clay County Xpress Pharmacy, LLC, Celina

DIDD Seating and Positioning Clinics, Nashville

Insulet Corporation, Nashville

Novocure, Inc., Memphis

RespirTech, Nashville

Synergy Health Solutions, LLC, Halls

WellSpring Medical Supply, LLC, Smyrna

**(e) Nursing Homes**

Life Care Center of East Ridge, East Ridge

**(f) Professional Support Services**

Better Life Therapies, LLC, Antioch

Compassionate Nursing and Home Care Services, LLC, Cordova

Complete Home Care Services of Tennessee, Columbia

Triumph Care, LLC, Nashville

**(g) Outpatient Diagnostic Center**

Tennessee Imaging and Vein Center, Chattanooga

**(h) Traumatic Brain Injury (TBI) Residential Home**

21<sup>st</sup> Century Living Services, Inc., Gallatin (Leigh Lane location)

21<sup>st</sup> Century Living Services, Inc., Gallatin (Hartsville Lane location)

**2. (CHOWS)**

**(a) Hospice Facility**

HighPoint Hospice, Gallatin

**(b) Nursing Homes Facility**

Bethany Center for Rehabilitation and Healing, LLC, Nashville

Gallatin Center for Rehabilitation and Healing, LLC, Gallatin

Lakebridge, A Waters Community, Johnson City

Quality Center for Rehabilitation and Healing, LLC, Lebanon

The Waters of Clinton, Clinton

The Waters of Johnson City, Johnson City

The Waters of Smyrna, Smyrna

The Waters of Winchester, Winchester  
Trevecca Center for Rehabilitation and Healing, LLC, Nashville

(c) **Assisted Care Living Facility**

Athens Place, Athens  
Foxbridge Assisted Living and Memory Care, Memphis  
J. B. Knowles Home Assisted Living, Nashville f/k/a Autumn Hills

**12. LICENSE STATUS UPDATES.**

**METHODIST LE BONHEUR GERMANTOWN HOSPITAL, GERMANTOWN**

This three hundred nine (309) bed hospital had been denied to increase their bed count by Health Services and Development Agency (HSDA) in September 2016. On May 17, 2017 Health Services and Development Agency approved Methodist LeBonheur Germantown Hospital, Germantown to increase the hospital's bed count by ten (10) acute care beds from 285 acute care beds to 295 acute care beds. The total licensed beds will increase from 309 beds to 319 beds. Being that LeBonheur Germantown Hospital is one of the five hospital that make up Methodist Healthcare-Memphis Hospitals, system wide acute care beds will increase from 1459 to 1469 and the system wide total licensed beds 1583 to 1593. This was done pursuant to the Tennessee Health Services and Development Agency statute T.C.A. § 68-11-1607(g).

**TENNOVA HEALTHCARE-MCNAIRY REGIONAL HOSPITAL, SELMER**

This forty-five (45) bed hospital was granted inactive status on May 5, 2016 until June 5, 2017. Tennova Healthcare-McNairy Regional Hospital has anticipated the closure of the hospital. This action was taken due to the deterioration and significant repairs required to the building. After extensive evaluation of the current situation McNairy Hospital Corporation which owns and operates Tennova Healthcare-McNairy Regional Hospital, Selmer has decided to permanently close the hospital on May 18, 2016.

**\*FACILITY CLOSURES**

See attachment.

**13. BOARD POLICY CONSENTS.**

**A. THE FOLLOWING NURSING HOMES ARE REQUESTING A WAIVER TO PROVIDE OUTPATIENT THERAPY SERVICES AS PROVIDED FOR BY BOARD POLICY #32:**

Raintree Health and Rehab, McMinnville

**B. THE FOLLOWING FACILITIES ARE REQUESTING APPROVAL TO PERMIT A NURSING HOME ADMINISTRATOR TO SERVE AS ADMINISTRATORS BOTH A NURSING HOME AND RESIDENTIAL HOMES FOR AGED AND/OR ASSISTED CARE LIVING FACILITY ACCORDANCE WITH BOARD POLICY #39:**

Mabry Health and Rehabilitation, Gainesboro (Nursing Home) and Mabry Assisted Living, Gainesboro (ACLF)

**14. REGULATION(S).**

**A. BOARD APPROVAL FOR RULEMAKING HEARING.**

- (1) Ambulatory Surgical Treatment Center Rules 1200-08-10-Medtronic & TMA proposed changes – Pages 25-26.

**B. PROPOSED RULE LANGUAGE**

- (1) Tennessee Community Organization (TNCO) a home care services to patients receiving services under the Tennessee Department of Intellectual Disabilities has proposed changes to the Professional Support Services Rules 1200-08-34 for consideration and approval for rulemaking.

–Melanie Keller, Chair, TNCO Health Committee

**15. ORDERS.**

**A. Consent Orders.**

**16. OTHER BUSINESS.**

**A. OHCF P& P 240 – Facility Plans of Correction (POC)**

**B. River Oaks Place - Loudon**